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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 30, 2000

APPLICATION OF

BELL ATLANTIC - VIRGINIA, INC.

CASE NO. PUC000043

For Exemption from
Physical Collocation at its
Midlothian and Dulles Corner
Central Offices

FINAL ORDER

On February 8, 2000, Bell Atlantic - Virginia, Inc. ("BA-VA"), filed a supplement to its requests in Case No. PUC960164 for exemption from the requirement to provide physical collocation at its Midlothian and Dulles Corner central offices, as well as a withdrawal of its exemption requests for its Ashburn and Pentagon central offices. On February 25, 2000, the Commission entered an Order permitting the withdrawal of the Ashburn and Pentagon exemption requests and transferring the two remaining requests, Midlothian and Dulles Corner, to Case No. PUC000043. The February 25, 2000, Order permitted interested parties to file comments on the exemption requests for the Midlothian and Dulles Corner central offices and directed the Staff to investigate these requests and file a report.

On March 24, 2000, Cavalier Telephone, LLC ("Cavalier"), filed comments on BA-VA's exemption requests. Specifically, Cavalier requested that BA-VA explain its denial of physical collocation space and provide physical collocation in its Midlothian central office if any available space is identified by Staff or other parties.

On April 7, 2000, the Staff filed its report in this case. After its tour and review of the floor plans of the Midlothian central office, Staff stated that it believes there is a small amount of additional space in that office that could be used for physical collocation before an exemption is granted. Staff recommended that BA-VA make changes to its floor plan and build a cage around its own equipment to make additional physical collocation space available at the Midlothian central office. With regard to the Dulles Corner central office, Staff stated that it does not believe that additional physical collocation space is currently available.

Staff recommended that once the additional physical collocation space identified in its report at the Midlothian office is made available, the Commission grant the exemption from physical collocation for that central office. Staff also recommended that the Commission grant BA-VA's requested exemption from physical collocation for the Dulles Corner central office. Further, the Staff stated that any exemption

granted for either the Midlothian or Dulles Corner central offices should be terminated once the scheduled building additions at those offices are completed.

On May 17, 2000, BA-VA filed its response to the Staff Report. In its response, BA-VA agreed to make the space identified by Staff in the Midlothian office available for cageless physical collocation on a temporary basis provided that the collocators agree to move their equipment to the new collocation space, at their cost, once the building addition is completed.

NOW UPON CONSIDERATION of the supplemental application, § 251(c)(6) of the Telecommunication Act of 1996, the Commission's Collocation Rules,¹ Cavalier's comments, and the Staff report, the Commission is of the opinion and finds that BA-VA's request for exemption from the requirement to provide physical collocation at its Midlothian central office should be granted once the additional space identified in Staff's report is made available; that BA-VA's request for exemption from the requirement to provide physical collocation at its Dulles Corner central office should be granted; and that these exemptions should be terminated once the scheduled building additions at the Midlothian and Dulles Corner central offices are completed.

¹ 20 VAC 5-400-200.

Accordingly, IT IS ORDERED THAT:

(1) BA-VA's request for exemption from the requirement to provide physical collocation at its Midlothian central office is granted subject to BA-VA first making available on a temporary basis the additional space identified in Staff's report.

(2) BA-VA shall notify the Staff once the scheduled building additions are completed at the Midlothian and Dulles Corner central offices.

(3) BA-VA's request for exemption from the requirement to provide physical collocation at its Dulles Corner central office is granted.

(4) Once scheduled building additions are completed at the Midlothian and Dulles Corner central offices, the exemptions will be terminated.

(5) There being nothing further to be done herein, this matter shall be dismissed from the Commission's docket of active cases and the papers filed herein placed in the Commission's file for ended causes.